Appl. No. 09/675,281
Amdt. dated June 21, 2004
Reply to Office Action of April 9, 2004

REMARKS/ARGUMENTS

Receipt of the Office Action dated April 9, 2004 is hereby acknowledged. In that action the Examiner: 1) objected to claims 11 and 18 for various informalities; 2) rejected claims 1-10, 14-17, 22-24 and 28 as allegedly obvious over *Davis* (U.S. Pat. No. 6,205,547) in view of *Basu* (U.S. Pat. No. 5,452,454) and 3) rejected claims 11-13, 18-21 and 25-27 as allegedly obvious over *Davis* in view of *Basu* and in further view of *Godse* (U.S. Pat. No. 6,202,091).

With this Response, Applicants amend claim 1. Reconsideration is respectfully requested.

I. CLAIM OBJECTIONS

With this Response, Applicants amend claim 1 to more clearly define the management processor and management memory. This is not a narrowing amendment that gives rise to *Festo*-type inquiries. Applicants make this amendment to provide antecedent basis to these terms in claim 11 to address the objection to claim 11. A similar objection was made with respect to claim 18; however, the "management processor" of claim 18 finds specific antecedent basis in claim 16.

II. CLAIM REJECTIONS

A. Claim 1

Claim 1 stands rejected as allegedly obvious over *Davis* in view of *Basu*.

Davis appears to be directed to "a system management controller [that] may record and/or modify the state of the computer system's host processor if it fails to execute user level program instructions ... ." (*Davis* Abstract). As stated in the Office Action dated April 9, 2004, "The Davis reference does not explicitly state receiving an image of a bootable program." *Basu* appears to be directed to a "generic remote boot for network workstations by creating local bootable code image." (*Basu* Title). With regard to transferring bootable images and booting a remote computer, *Basu* states:

> [T]he client PC of the present invention uses the logical network link 14a to copy an image 17a of the remote service LAD disk to a local storage 15 (FIG. 1d). Once the LAD disk image 17a is created in local storage 15, the network links are terminated and the client

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PC is directly booted from the locally stored LAD disk image 17a
(FIG. 1e).

(*Basu*, Col. 7, II. 3-9). However, in the *Basu* system the bootable image is not
stored In memory associated with a system management controller; rather, in
Basu the bootable image is copied directly to the memory of the remote PC.

> For reasons that will become apparent, the client PC system should
> have an Intel 80286, 80386, 80486, or higher family CPU which can
> support at least 2 megabytes (MB) of extended memory (XMS) ... .

(*Basu*, Col. 7, II. 14-17). The reason this type and amount of extended memory is
required in *Basu* is that this is the location in which the bootable image is placed.

> Once the PC client-to-service LAD disk connection is established
> using the LAST protocol, **the client PC copies the contents of the
> service LAD disk into its own extended memory system (XMS),
> i.e., it creates a LAD disk image (or LAD RAM disk) in XMS.**

(*Basu*, Col. 8, II. 23-28 (emphasis added)).

Claim 1, by contrast, specifically recites "a host computer system
comprising a management sub-system, said management sub-system
comprising a management processor and a management memory; ... **wherein
said management sub-system Is capable of receiving an image of a
bootable program** for the host computer system from said remote management
console, and **wherein said image Is stored in the memory In said
management sub-system**; and then wherein said host computer system loads
said image during its boot cycle, and executes said image as part of its boot
cycle." Applicants respectfully submit that the combination of *Davis* and *Basu*
fails to teach or fairly suggest that a bootable image should be stored in the
memory of a management sub-system. As admitted in the Office Action of
March 9, 2004, *Davis* fails to teach receiving an image. As discussed above, the
image transferred in *Basu* is stored in the extended memory of the client PC, not
the memory of a management sub-system.

Based on the foregoing, Applicants respectfully submit that claim 1, and all
claims which depend from claim 1 (claims 1-15) should be allowed.

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B.   Claim 16

Claim 16 stands rejected as allegedly obvious over *Davis* in view of *Basu*.

Davis appears to be directed to "a system management controller [that] may record and/or modify the state of the computer system's host processor if it fails to execute user level program instructions ... ." (*Davis* Abstract). "The Davis reference does not explicitly state receiving an image of a bootable program." (Office Action dated April 9, 2004). *Basu* appears to be directed to a "generic remote boot for network workstations by creating local bootable code image." (*Basu* Title). In the *Basu* system, the bootable image is not stored in memory associated with a system management controller; rather, in *Basu* the bootable image is copied directly to the memory of the remote PC. (*Basu*, Col. 7, ll. 14-17; Col. 8, ll. 23-28).

Claim 16, by contrast, recites, "a management sub-system including a management processor and memory, said management sub-system coupling to said system bus via said port; ... wherein said management sub-system emulates a disk drive, so that the computer system checks the management sub-system during each boot cycle to determine if said management sub-system includes a bootable image." Applicants respectfully submit that *Davis* and *Basu* fail to teach or fairly suggest the limitations of claim 16. In particular, *Davis* fails to teach receiving an image. *Basu* fails to teach that the image should be stored in memory of a management sub-system. Thus, the combination of *Davis* and *Basu* fails to teach or fairly suggest that the management sub-system should emulate a disk drive and include a bootable image.

Based on the foregoing, Applicants respectfully that claim 16, as well as all claims which depend from claim 16 (claims 17-21), should be allowed.

C.   Claim 22

Claim 22 stands rejected as allegedly obvious over *Davis* in view of *Basu*.

Davis appears to be directed to "a system management controller [that] may record and/or modify the state of the computer system's host processor if it fails to execute user level program instructions ... ." (*Davis* Abstract). "The Davis reference does not explicitly state receiving an image of a bootable program."

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(Office Action dated April 9, 2004). *Basu* appears to be directed to a "generic remote boot for network workstations by creating local bootable code image." (*Basu* Title). In the *Basu* system, the bootable image is not stored in memory associated with a system management controller; rather, in *Basu* the bootable image is copied directly to the memory of the remote PC. (*Basu*, Col. 7, ll. 14-17; Col. 8, ll. 23-28).

Claim 22, by contrast, specifically recites, "a management sub-system coupled to said system bus, said management sub-system including: ... a memory coupled to said management processor for storing software and data; ... wherein said management sub-system is capable of receiving an image of a bootable program from said remote management console and wherein said image is stored in the memory in said management sub-system ... ." Applicants respectfully submit that the combination of *Davis* and *Basu* fails to teach or fairly suggest the limitations of claim 22. *Davis* fails to teach receiving an image. *Basu* fails to teach that an image could be stored in memory of a management sub-system. Thus, the combination of *Davis* and *Basu* fails to teach the limitations of claim 22.

Based on the foregoing, Applicants respectfully submit that claim 22 and all claims which depend from claim 22 (claims 23-28), should be allowed.

III.   CONCLUSION

Applicants respectfully request reconsideration and allowance of the pending claims. If the Examiner feels that a telephone conference would expedite the resolution of this case, he is respectfully requested to contact the undersigned.
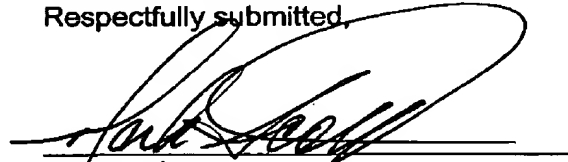
In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may

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be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request that a timely Notice of Allowance be issued in this case. If any fees or time extensions are inadvertently omitted or if any fees have been overpaid, please appropriately charge or credit those fees to Hewlett-Packard Company Deposit Account Number 08-2025 and enter any time extension(s) necessary to prevent this case from being abandoned.

Respectfully submitted,

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